

REMARKS

Claims 1, 3, and 8 have been amended. Claims 41 - 46 have been added. No new matter has been introduced with these amendments or added claims, all of which are supported in the application as originally filed. Claims 2, 4 - 7, and 9 - 40 have been cancelled from the application without prejudice. Claims 1, 3, 8, and 41 - 46 are now in the application.

Applicant is not conceding that the subject matter encompassed by the claims as presented prior to this Amendment is not patentable over the art cited by the Examiner, as claim amendments and cancellations in the present application are directed toward facilitating expeditious prosecution of the application and allowance of the currently-presented claims at an early date. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the claims as presented prior to this Amendment and additional claims, in one or more continuing applications.

I. Rejection under 35 U. S. C. §103(a)

Page 3, lines 3 - 5 of the Office Action dated April 23, 2008 (hereinafter, “the Office Action”) state that Claims 1 - 3, 8 - 17, 19 - 21, 24 - 32, and 35 - 40 are rejected under 35 U. S. C. §103(a) as being unpatentable over U. S. Patent 7,096,255 to Malik in view of “the AOL Buddy List FAQ from the year 2000” (hereinafter, “AOL Buddy List”). Page 7, lines 5 - 8 of the Office Action state that Claims 4 - 7, 22 - 23, and 33 - 34 are rejected under 35 U.S.C. §103(a) as being unpatentable over Malik in view of AOL Buddy List and further in view of U. S. Patent

Publication 2003/0065721 to Roskind. Page 8, line 7 - Page 9, last line of the Office Action state that Claim 18 is rejected under 35 U.S.C. §103(a) as being unpatentable over Malik in view of AOL Buddy List and further in view of U. S. Patent Publication 2005/0044143 to Zimmerman et al., as well as being unpatentable over Malik in view of AOL Buddy List and further in view of U. S. Patent Publication 2004/0172455 to Green et al., and also as being unpatentable over Malik in view of AOL Buddy List (and apparently further in view of the Examiner's Official Notice).

Claims 2, 4 - 7, and 9 - 40 have been cancelled from the application without prejudice, rendering the rejections moot as to those claims. These rejections are respectfully traversed with regard to Claims 1, 3, and 8 as currently presented, as will now be discussed.

Independent Claim 1, as currently presented, recites:

A computer-implemented method of managing user information in an instant messaging ("IM") system, comprising:

using a data structure to record IM activity on behalf of a particular user of the IM system, wherein:

the data structure comprises a plurality of entries, each of the entries corresponding to a selected one of a plurality of other IM users remembered, by the IM system, on behalf of an IM client of the particular user;
each of the entries comprises: an identifier of the selected one of the plurality of remembered IM users to which the entry corresponds; a first date indicating when the particular user last sent an instant message to the selected one; a first time period indicating a first inactivity period allowed before the particular one wants the selected one to be treated as expired, the first inactivity period corresponding to inactivity on outbound instant messages sent from the particular one to the selected one; a second date indicating when the particular user last received an instant message from the selected one; a second time period indicating a second inactivity period allowed before the particular one wants the selected one to be treated as expired, the second inactivity period corresponding to inactivity on inbound instant messages received by the particular one from the selected one; and

a current expiration status of the selected one; and

the first time period in at least one of the entries is different from the second time period in that one of the entries;

upon sending an instant message from the particular one to any of the plurality of remembered IM users, automatically updating the first date in the entry corresponding to that remembered IM user to a current date and setting the current expiration status in the entry to indicate that the corresponding one of the remembered users is not yet expired;

upon receiving an instant message by the particular one from any of the plurality of remembered IM users, automatically updating the second date in the entry corresponding to that remembered IM user to the current date and setting the current expiration status in the entry to indicate that the corresponding one of the remembered users is not yet expired;

periodically evaluating the entries in the data structure to determine, for the IM client of the particular user, whether any of the plurality of remembered users should be treated as expired, further comprising, for each of the entries for which the current expiration status indicates that the corresponding one of the remembered users is not yet expired:

adding the first time period from the entry to the first date from the entry, thereby computing an outbound inactivity comparison date;

adding the second time period from the entry to the second date from the entry, thereby computing an inbound inactivity comparison date;

selecting a first-occurring one of the outbound inactivity comparison date and the inbound inactivity comparison date; and

setting the current expiration status in the entry to indicate that the corresponding one of the remembered users is to be treated as expired if the selected first-occurring one is prior to the current date; and

for each one of the plurality of remembered users for whom the current expiration status of the corresponding entry in the data structure indicates that that one of the remembered users is to be treated as expired, omitting this user when performing IM presence management functions of the IM system but not deleting this one of the remembered users from the plurality of users remembered by the IM system on behalf of the IM client. (emphasis added)

Applicant respectfully submits that the cited references fail to teach, or suggest, at least the above-underlined recitations of Claim 1 as currently presented. Independent Claim 1 is therefore deemed patentable over Malik, AOL Buddy List, or any combination thereof (assuming, *arguendo*, that such combination could be made and that one of skill in the art would be

motivated to attempt it). Dependent Claims 3 and 8 are deemed patentable over Malik and AOL Buddy List at least by virtue of the patentability of independent Claim 1 from which they depend.

The Examiner is therefore respectfully requested to withdraw the §103 rejections.

II. Added Claims 41 - 46

Added independent Claims 41 and 44 recite claim language similar to that of Claim 1, where Claim 41 pertains to outbound inactivity and Claim 44 pertains to inbound inactivity. These independent claims are deemed patentable over the references by virtue of the same arguments presented above with regard to Claim 1. Added dependent Claims 42 - 43 and 45 - 46 are deemed patentable over the references by virtue of the patentability of the independent claims from which they depend.

III. Conclusion

Applicant respectfully requests reconsideration of the pending rejected claims, withdrawal of all presently outstanding rejections, and allowance of all remaining claims at an early date.

Respectfully submitted,

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